

REMARKS

Claims 9-16 were pending in this application when last examined. Claims 9-13 have been canceled and claim 14 has been amended. Support for the amendments can be found in the specification and original claims as filed. Support for the amendment to formula (I) can be found for example, at page 6, lines 15-18, and in the multiple exemplary dihydrobenzofuran compounds described throughout the specification, for example at pages 9-10. No new matter has been added.

Applicants are grateful to Examiner Chandrakumar for the help and consideration provided to Applicants' representative during the Examiner interview on December 22, 2009. The Examiner's suggestions have been incorporated into the above amendments to the claims. In particular, the amendments to the structure of the claimed compounds are consistent with the elected group of compounds and with the scope of enablement. The Examiner indicated during the interview that the requested amendments address formal matters and would be entered, and that they should place the Application in condition for allowance.

CLAIM REJECTION - 35 USC § 112, SECOND PARAGRAPH

At page 2, the Office Action rejects claims 14 and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants respectfully traverse the rejection.

The Office Action takes the position that it is unclear how the formula of claim 14 could be limited to dihydrobenzofuran compounds when X is CH₂, O, or S; and Y and Z taken together form a dihydrobenzofuran.

Currently amended claim 14 is directed to a compound represented by formula (I) wherein X is O (oxygen), and Y and Z together form a dihydrobenzofuran, the structure of which is now shown in claim 14. Accordingly, one of ordinary skill in the art would recognize the dihydrobenzofuran compounds formed therein.

Claim 16 depends from claim 14. Claims 14 and 16 satisfy the requirements of 35 U.S.C. § 112, second paragraph. Claims 9-13 have been canceled. Accordingly, Applicants request reconsideration and withdrawal of the rejection.

CLAIM OBJECTION

At page 4, the Office Action objects to claim 15 as being dependent upon a rejected base claim. Applicants respectfully traverse the objection.

Claim 15 depends from claim 14. As detailed above, amended claim 14 should be allowable. Thus, claim 15 does not depend upon a rejected base claim. Accordingly, Applicants request reconsideration and withdrawal of the objection.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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